

**DUNNINGTON**  
BARTHOLOW & MILLER LLP

ATTORNEYS AT LAW

230 Park Avenue, 21<sup>st</sup> Floor | New York, NY 10169 | Telephone: 212.682.8811 | www.dunnington.com | CJaffe@dunnington.com

October 20, 2023

**VIA ECF**

Hon. John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 14A  
New York, New York 10007-1312

**Re:** *Reif et al. v. Republic of Austria et al.*, Case no. 22 Civ. 10625 (JGK);  
*Reif et al. v. The Art Institute of Chicago et al.*, Case no. 23 Civ. 2443 (JGK)

Dear Judge Koeltl,

We represent Plaintiffs Timothy Reif, Leon Fraenkel and Milos Vavra -- the heirs of Fritz Grünbaum -- in the two actions referenced above which seek to recover artworks that the Nazi regime stole from Grünbaum before killing him at Dachau Concentration Camp. We write to provide an update on efforts to serve the defendants in the action *Reif et al v. Austria* and to report on developments concerning service on defendant Albertina Museum. The Leopold Museum has appeared and moved to dismiss: that motion is currently pending before the Court.

**1. Service on the Republic of Austria**

As noted in our September 22, 2023 letter to Your Honor, the Grünbaum Heirs completed service on the Republic of Austria on August 18, 2023.

**2. Service on the Albertina**

On August 30, 2023, the Court entered an Order granting Plaintiffs' motion for letters rogatory to assist in effecting service of process on the Albertina. We collected the letters rogatory from the Court and transmitted the to the United States Department of State for service of process under the FSIA, 28 U.S.C. § 1608(b)(3)(A). We have been in communication with the United States Department of State for a status update on efforts to serve the Albertina Museum but as of this writing, have not received any indication that service of process on the Albertina Museum has taken place. We therefore believe service of process on the Albertina has not been completed.

Respectfully submitted,

/s/ Claudia G. Jaffe